

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LAVAR ARMSTRONG,
Plaintiff,

v.

**UNKNOWN OFFICERS and
THE CITY OF CHESTER,**
Defendants.

.....
CIVIL ACTION

.....
NO. 20-160

ORDER

AND NOW, this 12th day of March, 2020, upon consideration of the Motion to Dismiss Pursuant to Fed. R. Civ. Pro. 12(b)(6) on Behalf of Defendant. [sic] City of Chester (Document No. 3, filed January 28, 2020), Plaintiffs [sic] Answer, [sic] to Defendants' [sic] Motions [sic] to Dismiss Plaintiffs' [sic] Second Amended [sic] Complaint Under Federal Rule of Civil Procedure 12(b)(6) (Document No. 4, filed February 12, 2020), and the Reply Brief in Support of Dismiss [sic] on Behalf of Defendant. [sic] City of Chester (Document No. 5, filed February 20, 2020), for the reasons stated in the Memorandum dated March 12, 2020, **IT IS ORDERED** that defendant City of Chester's motion to dismiss is **GRANTED**. Plaintiff's claims against defendant City of Chester in Count II of the Complaint are **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that plaintiff is granted leave to file an amended complaint with respect to his claims against the City of Chester in Count II of the Complaint within twenty (20) days, if warranted by the facts and applicable law as set forth in the accompanying Memorandum dated March 12, 2020.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.